

CHALONER TAKES HIS CASE HIGHER TO GET JUSTICE

Calls on Congress to Impeach Judge Geo. C. Holt of New York.

SAYS HE REFUSED TO OBEY MANDATE

Copy of Petition Containing Sensational Charges Sent to Every Member of House by Registered Mail—More Maligned Even Than Dreyfus.

John Armstrong Chaloner declared yesterday that his back is against the wall, and that he has carried his fight to the House of Representatives.

Appealing to the members for justice, and demanding the impeachment of Judge Geo. C. Holt, of New York, charging him with malfeasance in office.

He says he has tried every known legal means to rid himself of the attack of lunacy, that the combination of his influential family and their friends has blocked his every move for freedom, that his property worth \$1,000,000, which he has decided to South-eastern college is being unlawfully withheld by those who purpose it is to thwart his great educational devotion, and so in desperation he declares he will take his case to the people of the United States and let them judge whether or not he has received a fair and impartial hearing of his case.

Today, every member of the House of Representatives in Washington will receive by registered mail, a copy of Mr. Chaloner's petition, written by his own hand, and without the knowledge or consent of his family. The petition, which brings the petition to the Congress, will come copies of the petition addressed to every newspaper man named in the Capitol list.

May Not Find Champion.

Whether or not some member of the House will champion his cause, Mr. Chaloner says is a question he cannot answer, but he adds that he has urged three members to aid him and that all three passed by on the other side.

One, upon whom he counted more than all the rest because of his peculiar political isolation, was "too busy" another, did not agree with his legal reasoning, and the third agreed but made excuses. And so Mr. Chaloner will today, make his petition to all the people and demand that Judge Geo. C. Holt, of New York, be impeached for malfeasance in office, since he refused to obey the mandate of the United States Circuit Court of Appeals for the Southern District of New York, which had ruled in Mr. Chaloner's favor, but instead practically threw him out of court, and placed him in the position of a suppliant who must wait three years outside the doors of justice.

Mr. Chaloner's.

In a circular letter petition last night, Mr. Chaloner said:

"I am a good citizen and a lawyer, so that I have no desire to attack the laws. It is not the law which is at fault, in my case, but the manner in which the law is interpreted. I would secure a fair and impartial trial, I am here in Virginia to-day, and I would have the control of my property, which is unlawfully withheld from me—an estate worth \$1,500,000—which I do not want for my own use, for I have the simplest tastes, but which I have decided to the educational institutions of Virginia, North Carolina and South Carolina.

"For fifteen years I have lived a life of misery and all I have to which I can look forward is a fight—a struggle for vindication—a chance to prove that I am right and to know the world that I have been more maligned and persecuted than even Dreyfus. I am an innocent man, was never in a Devil's Island surrounded by a mob of convicts, but I am a sane man, for four years was jailed in Bloomsburg with insane persons as my associates.

Appendix to the People.

"Having exhausted every means to secure justice, I now appeal to the people of the United States, through their representatives in Washington, believing that these men are really representatives and servants of the people of the country and not their masters. I cannot and will not believe that those national lawmakers will permit even a United States judge to trample upon the laws of the land.

"If, however, the representatives refuse to act upon my petition, I will go again before the country and directly to the people, by taking a campaign and speaking in public halls.

"I will have many things to tell—some of them sensational, all of them true.

"I will show from the record that I was unlawfully placed in a lunatic asylum by means of false swearing. When my two brothers, ex-Lieutenant-Governor Louis Stuyvesant Chaloner and Winthrop Astor Chaloner, and my cousin, Arthur Astor Carey, made oath that I was insane and had me incarcerated in Bloomsburg, Carey had not seen me for two years, and my brothers had not seen me for months, but yet they swore to what took place at my home at 'Merrie Mills,' although no one of the three had ever been near the place, and the Lieutenant-Governor was in Europe and rushed home to sign away my freedom.

Says They Swore Falsely.

"It was also sworn to that I had

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ARCHBALD WILL APPEAR FRIDAY

Impeachment of Federal Judge May Be Delayed.

SENATORS WANT CASE TO GO OVER

House Managers Who Are Prosecutors Wish the Trial to Proceed Without Delay—But Eight Men Have Been Impeached Within a Century.

Washington, July 16.—The trial of Judge Robert W. Archbald, of the Commerce Court, accused of misbehavior by alleged acceptance of credit and favors from litigants before his court, got under way today.

The Senate was sworn in as a court of impeachment, and a summons for the accused judge, calling him to its bar on July 13, was issued.

Judge Archbald is in Scranton. The sergeant-at-arms of the Senate will serve notice upon him there, probably to-morrow.

At 12:30 o'clock Friday the court of impeachment will convene with the accused judge present, and determine if the trial shall proceed at once or go over until fall, perhaps to a special session in November.

Members of the Senate who have consulted with the judge and his counsel and are prepared to meet his wishes to have the trial go over until fall. The House managers, who appear as prosecutors, will oppose such a continuance. Several members of the Senate are prepared to urge speedy action. The managers of the Senate will settle the question, and will agree, it is believed, to a recess of the court until early in November. If a recess is not taken, a special session of Congress probably will be asked.

Attended with the solemnity which marks an occasion where a Federal officer is called to account for "high crimes and misdemeanors" against the government, the Senate converted itself to-day into a "high court for the trial of impeachment."

The Summons.

Henry D. Clayton, of Alabama, chairman of the House Committee of impeachment, read the demand for a summons.

"We, as managers of the House of Representatives, demand that a process be issued for Robert W. Archbald," said Judge Clayton, "and that he be required to appear at the bar of the Senate and answer the articles of impeachment."

An order for his appearance Monday was issued by Senator John W. Weeks, chairman of the Senate Committee on Judiciary, and was objected to by Mr. Clayton and Senator Bacon. Friday was then fixed.

When the judge has been served with the summons, said Mr. Clayton, "then he may appear and request a reasonable time to make his answer to the articles of impeachment."

Less than an hour was taken up with the organization of the court of impeachment, and the adoption of the formal orders for the appearance of the defendant and witnesses.

History of Impeachments.

The trial of Judge Archbald for alleged connection with business deals in which it is charged he appeared as the beneficiary of favors from railroads having litigation before his court, is the first impeachment case before a Senate since Judge Swayne of Florida was tried in 1905. Judge Swayne was acquitted.

Of the eight men who have been impeached and tried before the Senate in the last century and a quarter, including the President of the United States, a Senator, a Secretary of War, an associate justice of the Supreme Court and four Federal district judges, two have been convicted.

Senator Will Blount, of Tennessee, resigned and the case was dismissed. Judge John Pickens, of New Hampshire, was removed in 1861, and Judge West H. Humphreys, of Tennessee, suffered a similar fate in 1862.

President Andrew Johnson, tried in 1868, Justice Samuel Chase, in 1805; Judge James H. Peck, in 1830; Secretary of War W. B. Bicknap, in 1876, and Judge Charles Swayne, in 1905, all were acquitted by the Senate.

KNELL FOR STEEL TRUST

But Democrats and Republicans Say It Should Be Dissolved.

Washington, July 16.—Although it is rumored that the Stanley committee's long investigation of the so-called Steel Trust will result in at least two reports to Congress—one by the Democrats and the other by the Republicans of the committee—it was disclosed to-day that both sides will agree to recommendations that the United States Steel Corporation be dissolved and its assets be distributed.

The minority report will agree with the majority report that the corporation is in contravention of the Sherman law. The minority, however, will not sign the majority report, which will contain suggestions for remedial legislation. The majority will propose one set of bills to meet the situation disclosed by the investigation, and the minority will propose another.

Mrs. Schley's Pension.

Washington, July 16.—A sharp fight between the Senate and the House was fought to-day when the House insisted that the pension voted to the widow of Rear-Admiral Mrs. Schley \$160.

SENATORS REBUKE PRESIDENT TAFT

His Course in Lorimer Case Causes Adoption of Resolution.

TRESPASSING ON SENATORIAL RIGHTS

Interference of Chief Executive, Use of High Office to Influence Votes on Matters Pertaining to Senate, Characterized as Violation of Spirit of Constitution.

Washington, July 16.—To Senate to-day indirectly rebuked President Taft for his course in connection with the Lorimer case. Once blocked from a vote by the Archbald impeachment process, a resolution, bitterly drafted in a protracted, bitter debate, finally was adopted, 25 to 23, denouncing "any attempt on the part of a President" to exercise the power of his office to influence a vote on questions of Senate jurisdiction.

The resolution was originally framed by Senator Bailey, who had arraigned President Taft, asserting that he had been "officious and meddling" in endeavoring to influence regular Republican Senators in the Lorimer case.

The resolution as adopted reads: "Resolved, That any attempt on the part of a President of the United States to exercise the powers and influence of his great office for the purpose of controlling the vote of any Senator upon a question involving a right to a seat in the Senate, or upon any other matter within the exclusive jurisdiction of the Senate, would violate the spirit, if not the letter, of the Constitution and invade the rights of the Senate."

Not a Democrat voted against the resolution, but six Republicans voted for it. Republicans who voted for it were Senators Bourne, Chapp, Fairbank, McCumber and Works.

Democrats who voted for the resolution were: Ashurst, Bacon, Bailey, Bryan, Chambliss, Cullerton, Fletcher, Gardner, Hitchcock, Johnson, Johnston, Martin, McPherson, Newlands, Overman, Pomeroy, Pomeroy, Reed, Smith, Simmons, Smith, of Arizona, Smith, of Georgia, Smith, of Maryland, Smith, of South Carolina, Stone, Swanson, Thornton and Tillman.

Those Republicans who voted against the resolution were: Borah, Brandegee, Brewster, Burnham, Burton, Candler, Cummins, Cullerton, Du Pont, Granger, Jones, Keith, Mason, McPherson, Nelson, Oliver, Page, Perkins, Root, Smith, of Michigan, Smoot, Sutherland and Townsend.

Bailey Has His Fling.

Senator Bailey, in introducing the resolution, denounced the course of President Taft as described in a letter to the President written to Colonel Roosevelt on January 6, 1912, which President Taft made public in a recent speech during the Massachusetts primary. The original resolution was directed at the presidential influence on votes upon the right of Senator to retain their seats. When Senator Bailey introduced the resolution, an amendment offered by Senator McCumber striking out words of condemnation from the resolution and extending it to other matters within the exclusive jurisdiction of the Senate. He also accepted an amendment by Senator Hays striking out words of condemnation from the resolution and extending it to other matters within the exclusive jurisdiction of the Senate. He also accepted an amendment by Senator Hays striking out words of condemnation from the resolution and extending it to other matters within the exclusive jurisdiction of the Senate.

The vote was demanded, and for an instant it appeared that the resolution would pass unanimously. At this moment, however, William Alden Smith took the floor to declare the President had done nothing improper, and that it was impossible to disconnect Senator Bailey's argument from the resolution.

"Strike out the amendment, then," suggested Senator Bailey.

"Some of it ought, and some of it may be after consideration," shouted the Michigan Senator. Mr. Smith suggested Senator Bailey.

"Some of it ought, and some of it may be after consideration," shouted the Michigan Senator. Mr. Smith suggested Senator Bailey.

Senator Cummings wanted the resolution amended so as to also apply to the use of the office to influence votes for or against the bill. He said people would imply by this omission that he believed the President was guilty of a practice which was approved by the Senate. He spoke of the fact that Presidents had warned Senators if they did not vote in a certain way they would be considered out of the party.

Senator Smith, of Michigan, demanded that the Senator from Iowa be more specific.

"I make the assertion that such has occurred," said Mr. Cummings, "and in the interest of party harmony I trust that the Senate will not allow the incident to be forgotten as fast as the human memory will permit."

Wilson's Book Referred To.

Senator Borah suggested to the Senate that he had heard that the legislative branch of the government was intruding on the executive, and thereupon read at length from Woodrow Wilson's book on "Congressional Government." In this book the author spoke of the prestige of the presidential office having declined, and of Congress being a big meeting of idle

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WILSON CONFERS WITH UNDERWOOD

Believes That House Leader Knows the Situation.

NEW JERSEY A DEBATEABLE STATE

New York, Wisconsin, Missouri, Maryland and Kentucky Are Placed in Democratic Column, While Illinois, Ohio and Indiana Are Considered Doubtful.

What Underwood Thinks of Wilson

Trenton, N. J., July 16.—While waiting at the railroad station for his train, Representative Oscar Underwood, Democratic majority leader of the House of Representatives, following his conference with Governor Wilson to-day, sat down next to a portly man who was mopping his brow with a handkerchief.

"Hot as blazes, isn't it?" asked the leader, glancing at his neighbor.

"It certainly is," Mr. Underwood agreed.

"Just be pretty hot down South?"

"Underwood, of live in Alabama, and I believe it's hotter here than there."

"So you live in Alabama?" said the fat man. "What do your folks think of Wilson?"

"They must feel pretty sore about that fellow Underwood losing, don't they?" asked the stranger.

"Not at all," Mr. Underwood replied. "They will get out and fight for Wilson. I know Mr. Underwood, and I can tell you he is going to do all he can to help the Governor win."

"Well, that's great. I am glad to hear of it," the stranger responded.

Just then Mr. Underwood's train was summoned.

"Well, so long," said the fat man. "My name's Barker, Mr. Underwood."

"And my name is 'Underwood,'" the House leader said, shaking the proffered hand. "Oscar Underwood, of the committee of the Governor's staff."

Seagirt, N. J., July 16.—The political battle ground of the campaign of 1912 was the Democratic party will strain its sinews for every vote, was placed before Governor Wilson today, when a checkbook this afternoon by the man he regards as better informed than any other on conditions throughout the country, Oscar W. Underwood.

State by state the nominee and the House leader went over the map at their luncheon at the country club at Trenton, and when the conference ended two and a half hours later, they had taken from the debate table Wisconsin, Missouri, Maryland, Kentucky and New York, with a reservation that there would have to be some campaigning done in Missouri, and that while New York was pretty certain to go Democratic, the Democrats there would have to be on their guard and not feel too cocky about their chances of carrying them.

In this list they placed first the great middle-western States of Illinois, Ohio, and Indiana, then the New England States of Massachusetts, Maine and Connecticut. Along the Mason and Dixon border they made note of West Virginia. In a class by itself, they placed Pennsylvania, and last of all they noted New Jersey as a debatable State, although the Jersey leaders close to the governor have promised the State to him by pluralities ranging from 50,000 to 100,000 votes. These States the governor referred to to-night as "debateable," but indications are that he believes he can carry every one.

Consulted With Congressmen.

Mr. Underwood told the governor that before coming to Trenton he had consulted with Congressmen in these States and could speak with a fair working knowledge of conditions. Taft in Congress knows the situation in each district if anybody does, and from their reports as reported by Mr. Underwood to him, he feels that he obtained this afternoon a good working idea of just where the fire of the campaign will be directed.

"We went over the situation in the debatable States," Governor Wilson said to-night, "concerning which was the best campaigning ground in the country. With Mr. Underwood's very unusual knowledge of conditions through his colleagues in Congress, I have gotten a great deal out of the situation that was very valuable to me."

Maine, the first State discussed, is (Continued on Third Page.)

"DIRTIEST LIE" SAYS NICHOLLS

Attorney Attacks Detectives Felder and Reed.

NO KNOWLEDGE OF \$15,000 BRIBE

Declares That He Visited Governor Bleas for Purpose of Finding Out About Pardon, but Found Him Busy and Did Not Mention the Matter.

Spartanburg, S. C., July 16.—Samuel J. Nicholls to-night broke the silence which he has maintained in regard to the charge that he, as agent of Governor Bleas, planned to secure a pardon for James Johnson, the safe blow in exchange for a \$15,000 bribe, of which the governor, it is alleged, was to receive \$3,000.

Mr. Nicholls to-night issued a statement denying a report in an Atlanta paper, in which Thomas B. Felder and detective E. S. Reed were quoted as saying that Mr. Nicholls last Friday night sent a telegram to find out some south and wind up the pardon transaction.

The statement follows: "I had not expected to make any statement in regard to the matter of Johnson's pardon, preferring as I stated, to go before the committee and testify as to the exact facts in the case. I realize that the people are anxiously awaiting my statement."

"But I notice in a local paper this afternoon that Mr. Reed says he has a telegram which shows that Governor Bleas accepted the \$15,000 bribe which they say was offered. They say further that the telegram tells Reed, alias Porter to hurry on South and wind up the deal and pay his money and get his pardon."

"I wish to say that this is one of the dirtiest lies that has been published in connection with this outrageous reflection on the governor and myself, and I cannot allow it to go unnoticed even until the committee meets and says so."

"Mr. Reed has been summoned by Senator Carlin to the committee when I appear before the committee when I appear, and it is either up to him to produce such a telegram from me or to admit he has lied in this as well as in other parts of the transaction."

"I went to the lower part of the State with the intention of asking Governor Bleas if he intended to consider a pardon before the election, and upon finding out how busy he was I did not mention the pardon matter to him at all as he has stated."

"I have in my possession the only telegram which Porter received from the State of South Carolina, which telegram will be introduced by me at the hearing before the committee, and which telegram, sent as above stated, after I had decided not to mention the matter to the Governor, reads as follows:

"Things do not look good. Come to Spartanburg at once."

"As I have stated, this is all that I care to give out before I appear before the committee, and at that time I can give you my whole connection with this matter."

Mr. Nicholls sent the telegram referred to from Blackville, N. C., and it was addressed to Henry N. Porter, in Chicago.

M'COMBS AT SEAGIRT

To Confer With Wilson and Will name Committeemen To-Morrow.

Chicago, July 16.—William F. McCombs, chairman of the Democratic National Committee, left for New York to-day, and to-morrow will go to Seagirt for a conference with Governor Wilson. They will talk over the personnel of the campaign committee of nine or more, which was provided for at the meeting of the national committee yesterday. Thursday the chairman expects to name the names of the committeemen public.

MUST BE HEALTHY TO WED

Pittsburgh's Lutheran Clergy Require Physical Fitness.

Pittsburgh, July 16.—The movement to compel men seeking to be married to show a certificate of health was started formally to-day when the Lutheran churchmen of the city met at the city hall and by resolution invited those of all other churches to join the crusade.

The intention is to have each clergyman in Pittsburgh pledge himself never to officiate at any wedding at which the bridegroom does not show a health certificate from a reputable physician.

J. B. Duke III.

(Special Cable to The Times-Dispatch, July 16.—J. B. Duke III, the multi-millionaire tobacco manufacturer is ill in London and has been ordered to leave for the States.)

RESENT MESSAGE SENT TO CAUCUS

Friends of John B. Minor Declare Governor Was Spiteful.

QUOTE RECORD TO PROVE CHARGE

Nonpayment of Bar Association Dues and Carrington Matter Alleged to Have Actuated Ultimatum to Bar—Mon-cure Named on Second Ballot.

Friends of John B. Minor were angry yesterday in the statement that Governor Mann's message to the Richmond bar practically meant that the endorsement of Mr. Minor for judge of the Chancery Court would not be approved, and that he would not be appointed as Judge Daniel Grinnin's successor. It had been the invariable custom heretofore for the Governor to appoint the lawyer who was agreed upon by the bar. There were three names under the rule, Thomas C. Gordon's name was dropped after the first ballot, and on the second William A. Moncure was nominated. Subsequently the action of the caucus was made unanimous.

In making the charge that Governor Mann was opposed to Mr. Minor, friends of the latter were equally emphatic in commending Mr. Moncure, and there was absolutely no reflection upon him in the midst of adverse comment which was caused by the message, transmitted verbally to the caucus by Richard Evelyn Byrd, Speaker of the House of Delegates.

The Governor's Message.

Before the caucus was called upon to work, Mr. Byrd arose and delivered the message from Governor Mann. Mr. Byrd said:

"I am requested by the Governor of Virginia to make a statement to this assembly, which is this: While the Governor of Virginia has the highest regard for the opinion and wishes of the bar of Richmond city, and while he chooses the bar of Richmond city will be highly respected by the Governor, he does not wish it understood that he gives up any of his constitutional prerogatives in the selection of a judge for the Chancery Court of the city of Richmond."

Inasmuch as no similar notice had ever been served on the bar in caucus, the statement made by Mr. Byrd created something akin to a sensation. With the exception of averting a discussion, with its usual result, bitterness, Charles V. Meredith quickly offered the following resolution:

"Resolved, That it is the sole intent of this meeting to submit to the Governor a list of names for the bar of Richmond as to the selection of a judge for the Chancery Court, and not as any attempt to interfere with his prerogative."

Later in the day the alleged motive behind the Governor's message was being freely commented upon by lawyers. Friends of Mr. Minor were particularly bitter, and they brought forth alleged reasons which they declared were responsible for the "threat."

In support of their contention that Governor Mann was headed for defeat, Mr. Minor's friends called attention to the fact that on February 1, 1908, the Governor, who was then a practicing attorney, had been dropped by the State Bar Association for nonpayment of dues. After his nonpayment of dues, he went to the annual meeting at Hot Springs, and like members generally, announced to Mr. Minor, the secretary, that he desired to register and pay the charges for the year. Mr. Minor, his friends called attention to the fact that on February 1, 1908, the Governor, who was then a practicing attorney, had been dropped by the State Bar Association for nonpayment of dues. After his nonpayment of dues, he went to the annual meeting at Hot Springs, and like members generally, announced to Mr. Minor, the secretary, that he desired to register and pay the charges for the year. 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